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1           **SECTION 320.** 30.68 (5m) of the statutes is renumbered 30.66 (5) and amended  
2 to read:

3           30.66 (5) ~~TOWING~~ SLOW-NO-WAKE; TOWING BY A PERSONAL WATERCRAFT. A person  
4 may use a personal watercraft to tow a stranded or disabled boat if, during towing,  
5 the speed of the personal watercraft does not exceed slow-no-wake.

6           **SECTION 321.** 30.68 (6) of the statutes is amended to read:

7           30.68 (6) RIDING ON DECKS AND GUNWALES. No person operating a motorboat may  
8 ride or sit, or may allow any other person in the motorboat to ride or sit, on the  
9 gunwales, on tops of seat backs or sides, or on the decking over the bow of the boat  
10 in an unsafe manner while under way, unless such the person is inboard of guards  
11 or railings provided on the boat to prevent persons from being lost overboard.  
12 Nothing in this ~~section~~ subsection shall be construed to prohibit entry upon the  
13 decking over the bow of the boat for the purpose of anchoring, mooring, or casting off  
14 or other necessary purpose.

15           **SECTION 322.** 30.68 (7) (title) of the statutes is amended to read:

16           30.68 (7) (title) ~~RESTRICTED~~ SWIMMING AREAS AND REGULATORY MARKERS.

17           **SECTION 323.** 30.68 (7) of the statutes is renumbered 30.68 (7) (a) and amended  
18 to read:

19           30.68 (7) (a) No person ~~shall~~ may operate a boat within ~~a water~~ any area ~~which~~  
20 ~~that~~ has been clearly marked by regulatory markers or buoys ~~or some other~~  
21 ~~distinguishing device as a bathing or swimming area; nor.~~

22           (b) No person may operate a boat in restricted use areas contrary to regulatory  
23 notice pursuant to s. 30.74 (2). ~~This subsection does not apply in the case of an~~  
24 ~~emergency, or to patrol or rescue craft~~ markers.

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NOTE: The deletion of “restricted use areas” clarifies that this provision applies to all regulatory markers, whether or not the regulatory marker designates a restricted use area. See s. 30.68 (14) for the general exception for patrol boats.

1           **SECTION 324.** 30.68 (8) and (8m) (a) of the statutes are amended to read:

2           30.68 (8) ANCHORING IN TRAFFIC LANES. No person may anchor, place, affix, or  
3           abandon any unattended boat, raft, float, or similar structure in the traveled portion  
4           of any river or channel or in any traffic lane ~~established and legally marked~~  
5           designated by aids to navigation, so as to ~~prevent, impede or~~ interfere with the safe  
6           passage of any other boat ~~through the same~~.

7           (8m) (a) No person may use a mooring ~~or attach a boat to a mooring buoy~~ if the  
8           mooring ~~or mooring buoy~~ violates s. 30.772 or 30.773.

NOTE: “Attach a boat to a mooring buoy” duplicates the prohibition on use of a mooring. “Mooring” is defined in s. 30.01 (3e), when used as a noun, to mean “a mooring anchor and mooring buoy together with attached chains, cables, ropes and pennants and related equipment, unless the term is qualified or restricted”.

9           **SECTION 325.** 30.68 (8m) (c) of the statutes is created to read:

10          30.68 (8m) (c) No person may attach a boat to any aid to navigation or  
11          regulatory marker, except to mooring buoys.

NOTE: The prohibition in new sub. (8m) (c) is moved to this location from s. 30.68 (12).

12          **SECTION 326.** 30.68 (9) and (11) of the statutes are amended to read:

13          30.68 (9) OVERLOADING. No person may operate, and no owner of a boat may  
14          allow a person to operate, a boat that is loaded with passengers or cargo beyond its  
15          safe carrying capacity, taking into ~~consideration weather and other~~ account existing  
16          operating conditions.

17          (11) ~~UNNECESSARILY SOUNDING WHISTLES~~ HORNS; USE OF FLASHING LIGHTS. No  
18          person ~~shall~~ may unnecessarily sound a horn, whistle or other sound-producing  
19          device on any boat while ~~at anchor or under way~~ on the water. The use of a siren ~~or~~  
20          a light that resembles an emergency light specified under sub. (14) (a) on any boat

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1 except ~~duly authorized a patrol boats on patrol or rescue~~ boat that is on duty is  
2 prohibited.

NOTE: "At anchor or underway" is replaced by "on the water" to make this prohibition broader. For example, the broader language would prohibit unnecessary sounding of a horn while a boat is tied to a dock. "Emergency light" is added to the prohibition on use of a siren.

3 **SECTION 327.** 30.68 (12) of the statutes is repealed.

NOTE: The prohibition on mooring or fastening a boat to aids to navigation or regulatory markers is deleted here and recreated in s. 30.68 (8m) (c), above.

4 **SECTION 328.** 30.68 (14) (title) of the statutes is created to read:

5 30.68 (14) (title) PATROL BOATS.

6 **SECTION 329.** 30.69 (title) of the statutes is amended to read:

7 **30.69 (title) Water skiing and similar activities.**

8 **SECTION 330.** 30.69 (1) (title) of the statutes is amended to read:

9 30.69 (1) (title) ~~PROHIBITED AT CERTAIN TIMES~~ PROHIBITIONS; EXCEPTIONS.

10 **SECTION 331.** 30.69 (1) (a) of the statutes is renumbered 30.69 (1) (a) (intro.)  
11 and amended to read:

12 30.69 (1) (a) (intro.) ~~Except as provided in par. (b), no~~ No person may operate  
13 do any of the following:

14 1. Operate a motorboat towing a person on engaged in water skis, aquaplane  
15 or skiing or a similar device activity unless there is in the boat a competent person  
16 in addition to the operator ~~in a position to observe the progress of the person being~~  
17 ~~towed. An observer shall be considered competent if that person~~ who is in a position  
18 to observe, and can in fact observe, the person being towed and relay any signals to  
19 the operator. ~~This observer requirement does not apply to motorboats classified as~~  
20 ~~Class A motorboats by the department actually operated by the persons being towed~~

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1 ~~and so constructed as to be incapable of carrying the operator in or on the motorboat.~~

2 ~~No person may engage~~

3 2. Engage in water skiing, aquaplaning or a similar activity, or operate a  
4 motorboat towing a person engaged in water skiing or a similar activity, at any time  
5 from sunset to sunrise. This restriction of the hours of water skiing does not prevent  
6 restrictions of the hours of water skiing between sunrise and sunset by local  
7 ordinances enacted pursuant to s. 30.77 (3).

NOTE: The reference to local ordinances is eliminated, and all provisions related to local ordinances will be consolidated in s. 30.77. It is proposed to expand this prohibition to apply to the motorboat operator as well as to the person engaged in water skiing or a similar activity.

8 **SECTION 332.** 30.69 (1) (b) of the statutes is renumbered 30.69 (1) (b) (intro.)

9 and amended to read:

10 30.69 (1) (b) (intro.) Paragraph (a) 1. does not apply to ~~duly authorized water~~  
11 any of the following:

12 1. Water ski tournaments, competitions, exhibitions ~~or trials therefor, where~~  
13 adequate lighting is provided, or practice sessions that are authorized by a permit  
14 from a local governmental unit that enacts an ordinance under s. 30.77.

NOTE: The reference to “duly authorized” water ski tournaments and other activities is unclear. A specific reference to authorization by means of a permit from a local governmental unit that adopts ordinances under s. 30.77 is substituted for that phrase.

“Practice sessions” is substituted for “trials”. The meaning of “trials” is not clear, although one sense of that word is a preliminary competition. The special committee believes that the exemption from the observer requirement is widely understood to apply to all activities related to organized water ski activities, including practice sessions, and that the broader exemption from the observer requirement is appropriate, so the statute is redrafted accordingly.

Current s. 30.69 (1) (a) commences with “Except as provided in par. (b)”. That provision is recreated above in s. 30.69 (1) (c), with the omission of the reference to the provision of adequate lighting. It appears to be the intent of the current statute that the observer requirement does not apply to water ski tournaments, competitions, exhibitions or practice sessions under any circumstances.

15 **SECTION 333.** 30.69 (1) (b) 2. of the statutes is created to read:

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1           30.69 (1) (b) 2. Motorboats less than 16 feet long that are operated by the person  
2           being towed and that are so constructed as to be incapable of carrying the operator  
3           in or on the motorboat.

4           **SECTION 334.** 30.69 (1) (bm) of the statutes is created to read:

5           30.69 (1) (bm) Paragraph (a) 2. does not apply to water ski tournaments,  
6           competitions, exhibitions, or practice sessions that are conducted under a permit  
7           from a local governmental unit that enacts an ordinance under s. 30.77 and for which  
8           adequate lighting is provided.

9           **SECTION 335.** 30.69 (1) (c) of the statutes is renumbered 30.69 (1) (b) 3. and  
10          amended to read:

11          30.69 (1) (b) 3. ~~In addition to complying with par. (a), no person may operate~~  
12          ~~a~~ A personal watercraft that is towing a person who is ~~on~~ engaged in water skis, ~~an~~  
13          aquaplane skiing or ~~a~~ similar device activity unless the personal watercraft is  
14          designed to seat at least 3 persons.

15          **SECTION 336.** 30.69 (2) of the statutes is amended to read:

16          30.69 (2) CAREFUL AND PRUDENT OPERATION. A person operating a motorboat  
17          having in tow a person ~~on water skis, aquaplane or engaged in water skiing or a~~  
18          similar device activity shall operate ~~such boat~~ the motorboat in a careful and prudent  
19          manner and at a reasonable distance from persons and property so as not to  
20          endanger the life or property of any person.

21          **SECTION 337.** 30.69 (3) of the statutes is amended to read:

22          30.69 (3) RESTRICTIONS. (a) No person operating a motorboat that is towing  
23          ~~persons~~ a person engaged in water skiing, ~~aquaplaning~~ or a similar activity may  
24          operate the motorboat within 100 feet of any occupied, anchored boat, any personal  
25          watercraft, or any marked swimming area or public boat landing.

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1 (b) No person who is engaged in water skiing, ~~aquaplaning~~ or a similar activity  
2 may ~~get~~ come within 100 feet of a personal watercraft or allow the tow rope while in  
3 use to ~~get~~ come within 100 feet of a personal watercraft.

4 (c) 1. A motorboat towing a person who is engaged in water skiing, ~~aquaplaning~~  
5 or a similar activity.

6 2. The tow rope of a motorboat towing a person who is engaged in water skiing,  
7 ~~aquaplaning~~ or a similar activity.

8 3. A person who is engaged in water skiing, ~~aquaplaning~~ or a similar activity.

9 (d) Paragraphs (a) to (c) do not apply to pickup or drop areas that are marked  
10 with regulatory markers and that are open to operators of personal watercraft and  
11 to persons and motorboats engaged in water skiing or a similar activity.

12 **SECTION 338.** 30.69 (4) of the statutes is amended to read:

13 30.69 (4) INTOXICATED OPERATION. No person may use engage in water skis, ~~an~~  
14 ~~aquaplane~~ skiing or a similar device activity while under the influence of an  
15 intoxicant to a degree which renders him or her incapable of safely using engaging  
16 in water skis, ~~an aquaplane~~ skiing or a similar device activity, or under the combined  
17 influence of an intoxicant and any other drug to a degree which renders him or her  
18 incapable of safely using engaging in water skis, ~~an aquaplane~~ skiing or a similar  
19 device activity.

20 **SECTION 339.** 30.70 of the statutes is renumbered 30.70 (1) and amended to  
21 read:

22 30.70 (1) No person may engage in ~~underwater diving~~ or swimming with the  
23 use of swimming fins or skin diving in waters other than marked swimming areas  
24 or within 150 feet of the shoreline, and no unless the location of the swimming or  
25 diving is marked by a diver's flag. ~~No person may engage in underwater diving or~~

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1 swimming with the use of self-contained any underwater breathing apparatus in  
2 waters other than marked swimming areas, unless the location of such the diving or  
3 swimming is distinctly marked by a diver's flag, ~~not less than.~~

NOTE: "Underwater diving" is eliminated and "skin diving" is retained. Skin diving appears to be a clear reference to all types of diving that do not involve the use of an underwater breathing apparatus.

4 (2) A diver's flag under sub. (1) shall consist of a flag that is 12 inches high and  
5 15 inches long, displaying and displays one diagonal white stripe 3 inches wide on  
6 a red background, and. The diver's flag shall be of a height above the water so as to  
7 be clearly apparent at a distance of 100 yards under normal conditions, and so  
8 designed and displayed as to be visible from any point on the horizon. Except in case  
9 of emergency, anyone no person engaging in such diving or swimming shall not that  
10 requires a diver's flag may rise to the surface outside of a radius of 50 feet from such  
11 the diver's flag.

12 (3) No person engaged in such diving or swimming shall that requires a diver's  
13 flag may interfere with the operation of anyone fishing nor or engage in such diving  
14 or swimming in established traffic lanes; nor shall any such person alone or with  
15 another, intentionally or unintentionally, block or. No person engaged in diving or  
16 swimming that requires a diver's flag may obstruct any boat in any manner from  
17 proceeding to its destination in its course where -a- no reasonable alternative is  
18 unavailable available. A reasonable alternative route course is available when the  
19 otherwise unobstructed boat can proceed to its destination pass the diver's flag  
20 without reducing its lawful speed, by passing to the right or to the left of a marked  
21 diving operation while complying with s. 30.68 (5g).

NOTE: This provision is modified to eliminate the requirement that the boat must be proceeding to its destination in order for the prohibition on obstructing the boat to apply. This makes the prohibition on obstructing a boat applicable to any legal course

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that the boat may take. The added reference to s. 30.68 (5g) is the newly numbered requirement for boats to remain at least 100 feet from a diver's flag.

1       **SECTION 340.** 30.71 (1) of the statutes is repealed.

NOTE: The definition of "outlying waters" duplicates the definition of that term in current s. 30.01 (4r).

2       **SECTION 341.** 30.73 (2) (a) of the statutes is amended to read:

3       30.73 (2) (a) ~~Peace officers or rescue units engaged in emergency operations~~  
4       Patrol boat operators.

NOTE: See the exception for patrol boat operators in s. 30.68 (14), as renumbered from s. 30.64.

5       **SECTION 342.** 30.73 (4) of the statutes is repealed.

NOTE: Section 30.73 pertains to use regulations on the Brule River. Subsection (4) establishes a penalty by cross-reference to s. 30.80 (1). However, that cross-reference is unnecessary because s. 30.80 (1) provides that it establishes penalties for violation of ss. 30.50 to 30.80 for which a specific penalty is not provided elsewhere.

6       **SECTION 343.** 30.735 of the statutes is created to read:

7       **30.735 Tampering with navigation aids or regulatory markers.** No  
8       unauthorized person may move, remove, molest, tamper with, destroy, or attempt to  
9       destroy any aid to navigation or regulatory marker, sign, or other device established  
10      and maintained to aid boaters.

NOTE: This provision is currently part of s. 30.68 (12), which is repealed in this bill.

11      **SECTION 344.** 30.74 (1) (c) and (d) of the statutes are amended to read:

12      30.74 (1) (c) A valid certificate issued by another state, as defined in s. 115.46  
13      (2) (f), or a province of Canada or the Canadian government that is held by a person  
14      will shall be honored if the course content substantially meets that established by  
15      the department.

NOTE: Canadian provinces no longer issue boating safety certificates. This is done by the Canadian government.



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1 (d) The department shall also prepare and disseminate information on water  
2 safety to the public, including the informational pamphlets specified in s. 30.52 (5)  
3 (a) 4. and (b) 3.

4 **SECTION 345.** 30.74 (2) (a) of the statutes is amended to read:

5 30.74 (2) (a) The department by rule shall establish uniform marking of the  
6 ~~water areas~~ waters of this state through the placement of aids to navigation and  
7 regulatory markers. These rules shall establish a marking system compatible with  
8 the system of aids to navigation prescribed by the U.S. coast guard and shall give due  
9 regard to the system of uniform waterway markers approved by the advisory panel  
10 of state officials to the merchant marine council, U.S. coast guard.

11 (bm) No ~~municipality~~ local governmental unit that enacts an ordinance under  
12 s. 30.77 or person may mark the waters of this state in ~~any manner~~ in conflict with  
13 the marking system ~~prescribed~~ established by the department under par. (a). Any  
14 regulatory marker or aid to navigation that does not comply with this marking  
15 system is considered an unlawful obstruction to navigable waters and may be  
16 removed ~~in accordance with law~~ under s. 30.975.

17 (c) The department may not prohibit the placement of a regulatory marker or  
18 an aid to navigation if it complies with ~~this~~ the marking system established by the  
19 department under par. (a) and if it is being placed pursuant to an ordinance ~~that has~~  
20 ~~been enacted in compliance with~~ under s. 30.77.

NOTE: The advisory panel is obsolete.

21 **SECTION 346.** 30.74 (2) (b) of the statutes is repealed.

NOTE: The definitions of these terms are deleted here and recreated as definitions  
in s. 30.50.

22 **SECTION 347.** 30.74 (3) of the statutes is amended to read:

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1           30.74 (3) ENFORCEMENT. The department shall assist in the enforcement of ss.  
2   30.50 to 30.80 and in connection therewith. The department may maintain patrol  
3   boats and may operate such the patrol boats at such times and places as the  
4   department deems necessary in the interest of boating safety and the effective  
5   enforcement of boating laws. An ordinance enacted under s. 30.77 does not apply to  
6   a patrol boat operated by the department if the patrol boat is engaged in a law  
7   enforcement activity.

NOTE: This allows wardens to more effectively patrol lakes and streams, primarily by avoiding the need to comply with extensive slow-no-wake ordinances.

8           **SECTION 348.** 30.742 of the statutes is renumbered 30.5005 (3).

9           **SECTION 349.** 30.77 of the statutes is repealed and recreated to read:

10          **30.77 Local regulation of boating. (1) DEFINITIONS.** In this section:

11          (a) “Footage of shoreline” means the length of shoreline in feet measured by use  
12   of a map wheel on the U.S. geological survey 7 1/2 minute map series.

13          (c) “State law” means this section, ss. 30.50 to 30.71, and those penalties under  
14   s. 30.80 that apply to ss. 30.50 to 30.71.

NOTE: SECTION 30.5005 (1) (b), as created by this bill, provides that a reference to a statute in any of the boating statutes also includes the rules promulgated under that statute. Thus, “state laws” includes the department of natural resources (DNR) boating rules.

15          **(2) LOCAL REGULATION PROHIBITED; EXCEPTION.** State laws shall be uniform in  
16   operation throughout the state. No local governmental unit may enact an ordinance  
17   on any matter pertaining to a state law except as provided under this section, or as  
18   provided under another statute that, by its express terms, and, notwithstanding this  
19   section, authorizes enactment of an ordinance by a local governmental unit.

NOTE: This first part of this subsection restates current law. See current s. 30.77 (1). The purpose of this provision is to establish the policy that state boating laws are intended to be uniform, and that the authorization of local regulation is within the context of this uniformity.

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The provision regarding statutory authority other than s. 30.77 is new and states expressly what is the apparent intent of s. 30.77, that this statute is the exclusive authority for local regulation of boating equipment and operations, as well as other matters subject to regulation under this section, unless specific authority is provided elsewhere in the statutes.

1           **(3) DUTIES OF THE DEPARTMENT.** (a) *Assistance.* The department shall draft and  
2       disseminate model ordinances that meet the requirements of this section. The  
3       department shall consult with and assist local governmental units in enacting and  
4       enforcing ordinances that meet the requirements of this section.

NOTE: This provision creates a new requirement that DNR must prepare model ordinances and assist local governmental units in enforcing ordinances enacted by those governmental units.

5           (b) *Review of ordinances.* The department shall review ordinances as provided  
6       under sub. (10).

7           **(4) JURISDICTION OF CERTAIN LOCAL GOVERNMENTAL UNITS.** (a) *Cities, villages, and*  
8       *towns.* 1. A city, village, or town that has the entire shoreline of an inland lake within  
9       the boundaries of the city, village, or town may enact ordinances applicable to that  
10      lake.

11       2. A city, village, or town that has both banks of a stream within the boundaries  
12      of the city, village, or town may enact ordinances applicable to that portion of the  
13      stream that is within the boundaries of the city, village, or town.

NOTE: The current statute authorizes a town, village, or city to enact ordinances applicable to both lakes and streams "within its jurisdiction". With respect to streams, the current statute does not clearly define the jurisdiction of a town, village, or city. This bill authorizes the town, village, or city to enact ordinances applicable to streams within its boundaries (i.e., the town, village, or city has territory on both banks of the stream). A later provision, in sub. (4) (e), provides that a town, village, or city that is adjacent to a stream may enact ordinances if the town, village, or city that is also adjacent to the stream (i.e., on the opposite shore) enacts the identical ordinance.

14       3. Notwithstanding pars. (b) 1. to 3. or (c) to (e), a city, village, or town may enact  
15      ordinances applicable to waters of this state that pertain to issues of local concern  
16      to that city, village, or town, as specified in sub. (5) (h). If there is a disagreement  
17      among local governmental units regarding the content of an ordinance enacted

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1 under this subdivision, or the priority of an ordinance enacted under this  
2 subdivision, as provided in sub. (7) (c), the matter may be submitted to the  
3 department for a determination.

NOTE: This provision is new. It authorizes ordinances that are of concern only to an individual town, village, or city. The provisions regarding priority of local governmental unit authority in sub. (7) (c) make it clear that a town, village, or city ordinance related only to local issues supersedes inconsistent provisions of any other ordinance applicable to the same body of water. The scope of these ordinances of local concern is limited by sub. (5) (h).

4 (b) *Counties.* 1. A county that has both banks of a stream within the county  
5 boundaries may enact ordinances applicable to that portion of the stream.

NOTE: "Stream" is used instead of "river or stream", which is used in the current statute. There is not a substantive distinction between these 2 terms.

6 2. A county that has the entire shore of an inland lake within the county  
7 boundaries may enact ordinances applicable to that lake.

8 2g. A county ordinance enacted under subd. 2. is void if the ordinance is enacted  
9 with respect to a lake for which an ordinance is enacted under par. (a) 1., (c), or (d).

10 2r. A county ordinance enacted under subd. 2 with respect to a lake for which  
11 an ordinance has not been enacted under par. (a) 1., (c), or (d) is void if any of the  
12 following applies:

13 a. The entire shoreline of the lake is within the boundaries of a city, village, or  
14 town that adopts a resolution declaring the county ordinance void, and the city,  
15 village, or town files a copy of the resolution with the department.

16 b. At least 50% of the cities, villages, or towns with a portion of the shoreline  
17 of the lake within the boundaries of the city, village, or town adopt a resolution  
18 declaring the county ordinance void, a copy of the resolution is filed with the  
19 department, and at least 40% of the footage of shoreline of the lake is within the  
20 boundaries of those cities, villages, or towns.

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NOTE: This provision is new. Counties have authority under the current statutes to enact ordinances related only to streams and county marina developments. This bill gives counties the authority to enact ordinances related to an inland lake if the entire shore of the inland lake is within the county boundaries. The county is not required to obtain authorization from the towns, villages, or cities bordering the lake. A county is not required to enact ordinances for all lakes, but rather may determine which lakes within the county merit regulation. Although not stated in the bill, it is obvious that one or more towns, villages, or cities bordering the lake may request the county to enact an ordinance.

Under the current statute, the primary authority to enact boating regulations, or to delegate authority to enact boating regulations, rests with the towns, villages, and cities. Although counties are given authority in this bill to enact boating ordinances, the preeminent authority of towns, villages, and cities is retained. If a town, village, or city enacts an ordinance applicable to a lake or adopts a resolution declaring the county ordinance void, the county ordinance is void with respect to that lake. Similarly, the towns, villages, or cities with concurrent jurisdiction of a lake may adopt a resolution declaring the county ordinance void, if the requisite number of municipalities do so, as provided in this bill. Finally, a town sanitary district or lake district that enacts an ordinance pursuant to authority granted by the towns, villages, or cities bordering a lake renders the county ordinance on that lake void.

1           3. A county may enact ordinances applicable to outlying waters that are  
2 contiguous to the county.

NOTE: The current statute authorizes a town, village, or city to enact ordinances applicable to “waters of this state within its jurisdiction”. Municipal jurisdiction of outlying waters is determined by the municipal charter. It appears that there is some variability in jurisdiction, with the jurisdiction of some municipalities ending at the water’s edge and others extending into the Great Lakes for varying distances. It does not appear that there is substantial reason for towns, villages, or cities to adopt boating regulations on the Great Lakes other than in the near-shore areas. Therefore, this bill provides that counties may enact ordinances applicable to outlying waters. Towns, villages, and cities have authority in sub. (4) (a) 3. to enact ordinances of local concern on outlying waters, whether or not the county has adopted ordinances on those waters.

3           4. A county that operates a marina development adjacent to waters of this state  
4 may enact ordinances that relate to the development, operation, and use of the  
5 marina and the waters adjoining the marina.

6           (c) *Multiple cities, villages, and towns; inland lakes.* A city, village, or town may  
7 enact ordinances applicable to an inland lake if the city, village, or town has a portion  
8 of the shoreline of the lake within the boundaries of the city, village, or town and all  
9 of the following apply:

10           1. At least 50% of the cities, villages, or towns with a portion of shoreline of the  
11 lake within their boundaries enact an identical ordinance.

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1           2. At least 60% of the footage of shoreline of the lake is within the boundaries  
2 of the cities, villages, and towns that enact an identical ordinance.

3           (d) *Town sanitary district or lake district.* A town sanitary district or public  
4 inland lake protection and rehabilitation district may enact ordinances applicable  
5 to an inland lake if at least 60% of the footage of the shoreline of the lake is within  
6 the town sanitary district or public inland lake protection and rehabilitation district  
7 boundary and all of the following apply:

8           1. At least 50% of the cities, villages, or towns with a portion of the shoreline  
9 of the lake within their boundaries adopt a resolution authorizing the town sanitary  
10 district or public inland lake protection and rehabilitation district to enact the  
11 ordinance.

12           2. At least 60% of the footage of shoreline of the lake is within the boundaries  
13 of the cities, villages, and towns that adopt the resolution.

14           (e) *Multiple cities, villages, towns, and counties; streams.* 1. A city, village, or  
15 town that is contiguous to a stream may enact ordinances applicable to any portion  
16 of the stream if each city, village, or town that is contiguous to that portion of the  
17 stream on the opposite bank enacts an identical ordinance.

18           2. A county that is contiguous to a stream may enact ordinances applicable to  
19 any portion of the contiguous stream if each county that is contiguous to that portion  
20 of the stream on the opposite bank enacts an identical ordinance.

NOTE: The current statute does not distinguish between streams within and streams contiguous to a county, town, village, or city. This bill makes that distinction, and requires identical ordinances in the latter case. (The requirement to adopt an identical ordinance is determined by the portion of the stream to which the ordinance applies.)

It should also be noted that the requirement for adopting identical ordinances with respect to a stream that is contiguous to a town, village, or city does not apply to the provision of this bill related to ordinances regarding local issues of concern only to the town, village, or city. See sub. (4) (a) 3., above.

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(5) STRICT CONFORMITY AND CONSISTENCY; PROHIBITIONS. (a) *Ordinances authorized.* A local governmental unit may enact and enforce ordinances as provided under this subsection.

NOTE: The current statute, in several instances, authorizes a local governmental unit “to enact and enforce” ordinances. This phrase is not used consistently, and a number of other authorizations in the current statute refer only to “enacting” ordinances. Ordinarily, authority to enforce an ordinance would be implied by the authority to enact an ordinance. However, the jurisdiction of many local governmental units ends at the water’s edge, and the authority to enact ordinances under s. 30.77 is extraterritorial in some cases. This bill retains “enforce” with respect to ordinances in this general grant of authority to enact ordinances. The authority to enforce ordinances is intended to apply to any waters of the state for which the local governmental unit is authorized to enact ordinances.

(b) *Strict conformity required.* Ordinances that relate to the subject matter encompassed by ss. 30.61, 30.62, 30.65, 30.67, 30.675, 30.68 (3m) (a) and (b) and (14), 30.681 to 30.687, and 30.71 shall be in strict conformity with these statutes.

NOTE: The current statutes provide that an ordinance may either be in strict conformity with or “not contrary to or inconsistent with” state law. The current statutes further provide that an ordinance which is “not contrary to or inconsistent with” state law must relate to “the equipment, use, or operation of boats or to any activity regulated by ss. 30.60 to 30.77”. The current statute does not provide sufficient guidance to determine which state laws require strict conformity, and which ones require consistency in the corresponding ordinances. Therefore, this bill simply lists the statutes that require strict conformity in ordinances on the same subject. Any statute that meets the definition of a “state law” in this bill, and is not on this list, requires consistency in a corresponding ordinance, but may also be in strict conformity with the state law.

(c) *Ordinances consistent with state law.* Except for a state law that requires strict conformity under par. (b), every ordinance enacted by a local governmental unit under this section shall be at least consistent with state law if all of the following apply:

1. The ordinance is in the interest of public health, safety, or welfare, including the public’s interest in preserving the state’s natural resources.
2. The ordinance relates either to the equipment, use, or operation of boats or to any activity subject to a state law.

NOTE: Current s. 30.77 authorizes certain ordinances that are “not contrary to or inconsistent with” state law. “Consistent with” is substituted for that phrase in this bill.

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There does not appear to be any substantive difference between these phrases. “Consistent with” is used in the interest of clarity, without intending any change in the standard for ordinances.

1           (d) *Standards for consistency.* An ordinance is consistent with state law even  
2 if it varies from the specific provisions of state law if the ordinance achieves the same  
3 general objective as state law, allows free use of the waters of this state within the  
4 framework established by state law, and is a reasonable restriction on public rights  
5 in waters of this state. An ordinance that meets the standards for consistency in this  
6 paragraph is not inconsistent with state law solely because the ordinance establishes  
7 standards that are more restrictive than the state law.

NOTE: This provision creates standards regarding what is meant by “consistency” between ordinances and state law. The effect of this statutory standard is to create a framework for the DNR to make comments on the issue of consistency in its advisory review under sub. (10) in this bill, and to guide the decision of the hearing examiner under the objection procedures in sub. (11) of this bill.

The special committee recognizes that it is difficult to draft statutory standards regarding consistency that draw a clear line between ordinances that are consistent and ordinances that are not consistent with state law. The new statutory standards are intended to aid in the discussion and adjudication of these issues.

8           (e) *Considerations in enacting ordinances.* In enacting an ordinance for an  
9 individual body of water, a local governmental unit may take into account factors  
10 that include the following:

11           1. The type, size, shape, and depth of the body of water and any features of  
12 special environmental significance that the body of water has.

13           2. The amount, type, and speed of boating traffic on the body of water and  
14 boating safety and congestion.

15           3. The degree to which boating traffic on the body of water affects other  
16 recreational uses and the public’s health, safety, and welfare, including the public’s  
17 interest in preserving the state’s natural resources.

18           (f) *Specific ordinances authorized.* Ordinances that require strict conformity  
19 under par. (b) include those that relate to any of the following:



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- 1           1. Restrictions on speed.
- 2           2. Restrictions on certain types of boating activities on all, or on specified parts,  
3 of the lake or stream.
- 4           3. Restrictions on certain types of boating activities during specified hours of  
5 the day or specified days of the week.
- 6           4. The operation, equipment, use, and inspection of boats carrying passengers  
7 for hire that operate from a base within the jurisdiction of the local governmental  
8 unit, including the regulation of reasonable fees for the inspection of such boats.
- 9           5. Reasonable fees for using a public boat launching facility that the local  
10 governmental unit owns or operates.
- 11          6. Reasonable fees for the local governmental unit's costs for operating or  
12 maintaining a water safety patrol unit, as defined in s. 30.79 (1) (b) 2.
- 13          7. Reasonable fees for the local governmental unit's costs of providing other  
14 recreational boating services.

NOTE: The provision regarding fees for "other recreational boating services" retains current law. The special committee discussed the possibility of repealing or modifying this provision, but decided against making changes. The special committee acknowledges that although the current statute authorizes "reasonable" fees, a fee related to boating that might be reasonable for purposes of the police power may nevertheless exceed the bounds of the public trust in navigable waters under art. IX, s. 1, Wis. const. However, the special committee concluded that local governments should have the opportunity to impose reasonable fees that do not violate the public trust, and that the statute should continue to allow this.

- 15           (g) *Prohibitions.* 1. An ordinance may not require numbering, registration, or  
16 licensing of boats.
- 17           2. An ordinance may not charge a fee for inspection of boats, except as provided  
18 in par. (f) 4.
- 19           (h) *Cities, villages, and towns; issues of local concern.* A city, village, or town  
20 may enact ordinances under sub. (4) (a) 3. that relate only to establishing

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1 slow-no-wake zones and prohibiting boats from designated areas and that apply  
2 only within the following areas:

- 3 1. A mooring area designated under s. 30.773 by the city, village, or town.
- 4 2. A bridge, dam, channel, canal, or other similar hazard to navigation that is  
5 within the corporate limits of the city, village, or town.
- 6 3. Any construction project that requires a permit under subch. II or ch. 31 and  
7 either is undertaken by the city, village, or town or is within the corporate limits of  
8 the city, village, or town.
- 9 4. A marina that is either owned by the city, village, or town or is within the  
10 corporate limits of the city, village, or town.
- 11 5. An area that is within 200 feet from any riparian property or lake bed that  
12 is owned by the city, village, or town.
- 13 6. An area within a breakwater that is adjacent to the city, village, or town.
- 14 7. A harbor that is within the corporate limits of the city, village, or town.

15 **(6) RESCINDING AUTHORITY TO ENACT ORDINANCES.** (a) *Multiple cities, villages,*  
16 *and towns.* If a city, village, or town enacts an ordinance for an inland lake under  
17 sub. (4) (c) and the city, village, or town amends or repeals the ordinance, that  
18 ordinance is void for each city, village, or town with shoreline on the inland lake  
19 unless the requirements of sub. (4) (c) 1. and 2. continue to apply.

20 (b) *Delegated jurisdiction.* If a public inland lake protection and rehabilitation  
21 district or town sanitary district is authorized to enact ordinances for an inland lake  
22 under sub. (4) (d) and a city, village, or town rescinds the resolution that grants that  
23 authority, the public inland lake protection and rehabilitation district or town  
24 sanitary district may not enact ordinances for that inland lake and any ordinance  
25 enacted by the public inland lake protection and rehabilitation district or town

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1 sanitary district for that inland lake is void, unless the requirements of sub. (4) (d)  
2 1. and 2. continue to apply.

3 (7) PRIORITY OF ORDINANCES. (a) *Counties*. 1. An ordinance enacted by a county  
4 for a stream under sub. (4) (b) 1. or (e) 2. supersedes any provision of an ordinance  
5 enacted by a city, village, or town for a stream under sub. (4) (a) 2. or (e) 1. that is  
6 inconsistent with the county ordinance.

7 2. An ordinance enacted by a county for a marina under sub. (4) (b) 4.  
8 supersedes any provision of an ordinance enacted by another local governmental  
9 unit that is inconsistent with the county ordinance.

10 (b) *Town sanitary districts and lake districts*. An ordinance enacted by a public  
11 inland lake protection and rehabilitation district or a town sanitary district for an  
12 inland lake under sub. (4) (d) supersedes any provision of an ordinance enacted by  
13 a city, village, or town under sub. (4) (a) 1. or (c) that is inconsistent with the public  
14 inland lake protection and rehabilitation district or town sanitary district ordinance.

15 (c) *Cities, villages, or towns; ordinances of local concern*. An ordinance enacted  
16 by a city, village, or town for any waters of this state under sub. (4) (a) 3. supersedes  
17 any provision of an ordinance enacted under sub. (4) (b) 1. to 3. and (c) to (e) that is  
18 inconsistent with the city, village, or town ordinance under sub. (4) (a) 3.

19 (8) POSTING ORDINANCES. All ordinances enacted under this section applicable  
20 to a lake or stream shall be prominently posted by the local governmental unit that  
21 enacted them at each point of public access to the lake or stream within the local  
22 governmental unit. For ordinances enacted under sub. (4) (c), the ordinances shall  
23 be posted by each local governmental unit at any point of public access to the lake  
24 or stream within the boundaries of that local governmental unit.

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1           (9) HEARINGS. (a) *Ordinances*. A local governmental unit shall hold a public  
2 hearing under this subsection before enacting, amending, or repealing an ordinance.

3           (b) *Resolutions*. A local governmental unit shall hold a public hearing under  
4 this subsection before rescinding a resolution that is adopted under sub. (4) (d).

5           (c) *Procedures*. 1. A public hearing under this subsection shall be held at least  
6 30 days before an ordinance is enacted, amended, or repealed or a resolution is  
7 rescinded. If the action on an ordinance or resolution is proposed by more than one  
8 local governmental unit, the local governmental units may publish the notice and  
9 conduct the public hearing jointly.

10           2. At least 30 days before the public hearing, a local governmental unit shall  
11 publish a class 1 notice, under ch. 985, of the hearing under this subsection in one  
12 or more newspapers likely to give notice of the hearing in all cities, villages, towns,  
13 and counties that have shoreline of the lake or stream within their boundaries.

14           3. A local governmental unit that publishes a notice of a public hearing under  
15 subd. 1. shall send a copy of the notice, at least 30 days before the hearing, to the  
16 department, to each city, village, town, and county that has shoreline of the lake or  
17 stream within its boundaries and, if the proposal relates to an inland lake, to each  
18 lake association for the lake and each public inland lake protection and  
19 rehabilitation district for the lake.

NOTE: This provision expands and harmonizes the current requirements for a public hearing. This bill requires a public hearing each time an ordinance is proposed to be enacted, amended, or repealed, or a resolution rescinded, rather than the more limited requirements in the current statute. A public hearing must be held under this bill for all ordinances, rather than only those affecting inland lakes, as under the current statute. This bill applies the public hearing requirement to the amendment or repeal of an ordinance, rather than to only the enactment of an ordinance, as under the current statute. This bill requires all local governmental units to give notice of the public hearing, rather than only the one with the most shoreline, as under the current statute.

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1           **(10) REVIEW BY DEPARTMENT.** (a) *Review required.* 1. The department shall  
2 review each ordinance or amendment to an ordinance proposed under this section  
3 to determine if the ordinance complies with this section.

NOTE: This expands the scope of DNR review so that it applies to all ordinances enacted or amended under s. 30.77. The current statute applies DNR review only to ordinances regarding the equipment, use or operation of boats and only to inland lakes. This expands DNR review to apply to streams and outlying waters as well, and to any other ordinances regarding boating.

4           2. This paragraph does not apply to the repeal of an ordinance.

5           (b) *Copy of ordinance to department.* The local governmental unit shall submit  
6 a proposed ordinance to the department at least 60 days prior to final action on the  
7 ordinance.

8           (c) *Report by department.* The department shall prepare a report of its review.  
9 The report shall include findings regarding compliance of the ordinance with this  
10 section. If the department determines that the ordinance does not comply with this  
11 section, the report shall contain suggestions for changes that would bring the  
12 ordinance into compliance with this section.

13           (d) *Deadline for review.* The department shall complete its review within 20  
14 days after receiving a copy of a proposed ordinance under par. (b).

15           (e) *Distribution of report.* The department shall send a copy of any report  
16 prepared under par. (c) to each local governmental unit affected by the ordinance.

17           (f) *Modifications.* If a local governmental unit modifies an ordinance following  
18 receipt of a department report under par. (c), whether or not the modification is in  
19 response to the department report, the local governmental unit shall submit the  
20 modified, proposed ordinance in final form to the department prior to enactment.  
21 The department is not required to review the modified ordinance under this

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subsection if the modifications relate to the subject matter of the ordinance submitted to the department under par. (b).

NOTE: This provision is not expressly stated in the current statute. However, it is implied by the statement in current s. 30.77 (3) (d) that local regulations must be submitted to the DNR at least 60 days prior to “final action” by the local governmental unit.

(g) *Validity of ordinance.* 1. An ordinance is not valid unless the local governmental unit complies with all procedural requirements imposed on local governmental units by this section and the contents of the ordinance comply with this section.

NOTE: This provides an express statement of the requirement for a local governmental unit to comply with procedural and substantive requirements of s. 30.77. This requirement can be reasonably implied from the language in the current statute. Ordinances must also conform to the constitutional public trust in navigable waters.

2. A department report under this subsection is advisory only and does not affect the validity of an ordinance.

NOTE: This provision is new. Although not expressed in the current statute, this appears to be the legal effect of DNR review. The phrase “advisory review” is used in current s. 30.77 (3) (d).

(h) *Filing copies.* A local governmental unit that enacts, amends, or repeals an ordinance under this section shall file a signed copy of the ordinance, amendment, or repeal with the department. The department shall retain a copy of each ordinance, amendment, or repeal submitted under this paragraph.

(11) **OBJECTION PROCEDURE.** (a) Any of the following may file with the department an objection to an ordinance enacted under this section, on the grounds that any portion of the ordinance does not comply with this section:

1. A local governmental unit.
2. A qualified lake association, as defined in s. 281.68 (1) (b).
3. A nonprofit conservation organization, as defined in s. 23.0955 (1).

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1           4. A local governmental unit, as defined in s. 66.0131 (1) (a), that is established  
2 for the purpose of lake management.

3           5. A nonstock corporation organized under ch. 181 whose primary purpose is  
4 to promote boating activities.

5           6. The department.

NOTE: The current statute allows an objection on the grounds that an ordinance is contrary to or inconsistent with ch. 30. The reference to all of ch. 30 does not appear to be appropriate because s. 30.77 relates only to a local authority to enact ordinances related to ss. 30.50 to 30.71. Therefore, this reference is changed to “this section” which incorporates the new definition of “state law”.

The grounds for objection in current law are that the ordinance is “contrary to or inconsistent with” the statute. The proposal above allows an objection on the grounds that the ordinance “does not comply with” the statute. This expands the scope of the current grounds for objection by allowing objection based on any failure of a local governmental unit to comply with s. 30.77; such as failure to comply with procedural requirements.

The current statute allows an objection to an ordinance that applies to a river or stream on the grounds that the ordinance is “not necessary for public health, safety, welfare or the public’s interest in preserving the state’s natural resources”. This standard sets a much lower threshold for challenging ordinances, making it much more difficult for a local governmental unit to defend the ordinance. As redrafted, the standards in this section provide sufficient guidance and limitations for protecting the public by reference to compliance with s. 30.77. Therefore, the “not necessary” standard is deleted.

6           (b) 1. Upon receipt of an objection under par. (a), the department shall order  
7 a hearing on the objection under ch. 227. The hearing shall be a contested case  
8 hearing, and the administrator of the division of hearings and appeals in the  
9 department of administration shall assign a hearing examiner to the hearing as  
10 provided in s. 227.43. Persons who are not parties to the contested case may present  
11 testimony and evidence at the hearing.

12           2. The hearing examiner shall issue an order on the objection within 90 days  
13 after the date on which the hearing is ordered.

14           3. If the hearing examiner finds in favor of the objecting party, the hearing  
15 examiner shall issue an order declaring the ordinance or a portion of it void and  
16 prohibiting the enforcement of the ordinance or that portion of the ordinance.

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1           (c) The procedure under this subsection does not supersede any other legal  
2 right or procedure that a person has to contest an ordinance enacted under this  
3 section.

4           **SECTION 350.** 30.771 of the statutes is created to read:

5           **30.771 Emergency powers; local regulation of boating.** (1) A sheriff may  
6 issue an emergency regulation applicable to boating on any waters of this state  
7 within the sheriff's county. The emergency regulation shall be issued in written  
8 form, and the sheriff shall include with the emergency regulation findings of fact that  
9 support the need for the emergency regulation. The emergency regulation may  
10 establish slow-no-wake zones and may prohibit boats from designated areas. The  
11 emergency regulation may not be more restrictive than is necessary to address the  
12 emergency condition. The emergency regulation shall apply for a term specified by  
13 the sheriff, not to exceed 30 days. The sheriff may reissue an emergency regulation,  
14 for a term not to exceed 30 days, upon expiration of any prior emergency regulation  
15 or reissued emergency regulation. The sheriff shall publish and post the emergency  
16 regulation in a manner likely to give notice to users of the waters of this state that  
17 are subject to the emergency regulation and may mark or require the marking of the  
18 waters subject to the regulation by regulatory markers, if appropriate for the  
19 purpose of the regulation.

20           (2) A city, village, or town may issue an emergency regulation in connection  
21 with a construction project in any waters of this state that are within the jurisdiction  
22 of or adjacent to the city, village, or town. The city, village, or town shall issue the  
23 emergency regulation in writing. The emergency regulation may establish a  
24 slow-no-wake zone and may prohibit boats from designated areas. The emergency  
25 regulation may not be more restrictive than is necessary to address the conditions



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1 related to the construction project. The emergency regulation shall apply for the  
2 duration of the construction project or 30 days, whichever is less. If necessary, the  
3 city, village, or town may reissue the emergency regulation upon expiration of the  
4 prior emergency regulation. The city, village, or town shall publish and post the  
5 emergency regulation in a manner likely to give notice to users of the waters of this  
6 state that are subject to the emergency regulation, and shall mark or require the  
7 marking of the waters subject to the regulation by appropriate regulatory markers.

8 (3) Emergency regulations under this section are not subject to the procedures  
9 in s. 30.77, except that objection may be made to emergency regulations under this  
10 section using the procedures in s. 30.77 (11).

11 (4) If waters subject to emergency regulations under sub. (1) or (2) are marked  
12 with regulatory markers, the sheriff or the city, village, or town shall obtain  
13 department approval of the regulatory markers. The sheriff or the city, village, or  
14 town may place the markers after obtaining department approval or, in cases  
15 requiring immediate placement of markers, the sheriff or the city, village, or town  
16 may place the markers and immediately notify the boating law administrator of the  
17 department that the emergency regulation is in effect and the markers have been  
18 placed. The department shall approve or decline to approve a regulatory marker  
19 under sub. (1) or (2) within 2 working days after receiving a request for approval from  
20 the sheriff or the city, village, or town. If the department declines to approve a  
21 regulatory marker after the sheriff or the city, village, or town has placed the marker,  
22 the marker shall be immediately removed.

NOTE: This section codifies what apparently is the current practice of sheriffs in this state, and places some limits on the emergency regulations. Although the emergency regulations are not subject to the procedures and standards for local ordinances under s. 30.77, there should be a means to object to unreasonable emergency regulations. This

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provision allows an objection using the procedures in s. 30.77. However, the grounds for objection are the standards in new s. 30.771, rather than the standards in s. 30.77.

1       **SECTION 351.** 30.772 (3) (d) 4. of the statutes is amended to read:

2       30.772 (3) (d) 4. The provisions and procedures of ch. 68 shall apply to the ~~grant~~  
3       issuance, denial, or revocation of a mooring permit by a municipality.

4       **SECTION 352.** 30.772 (4) of the statutes is amended to read:

5       30.772 (4) DEPARTMENT PERMITS. The department may issue a permit  
6       authorizing the placement or use of a mooring beyond 150 feet from the ordinary  
7       high-water mark if the municipality does not have an established permit procedure,  
8       or more than 200 feet from the ordinary high-water mark if sub. (3) (a) 5. applies.  
9       The department may place conditions or restrictions on any permit issued under this  
10      subsection. The decision of the department under this subsection is subject to the  
11      time limits in s. 30.251.

12      **SECTION 353.** 30.78 (1) (intro.) of the statutes is repealed and recreated to read:

13      30.78 (1) LOCAL REGULATION AUTHORIZED. (intro.) A local governmental unit  
14      that has authority to enact an ordinance under s. 30.77 (4) may, after public hearing,  
15      by ordinance do any of the following:

16      **SECTION 354.** 30.78 (1g) of the statutes is repealed.

NOTE: The amendments to s. 30.78 expand the scope of local regulation of seaplanes, so that any local governmental unit may also enact ordinances for seaplanes. This authority applies to the same waters that may be regulated by the local governmental unit under s. 30.77. Although s. 30.77 is used to define the scope of local authority to regulate seaplanes, it should be noted that the procedures in s. 30.77 do not apply to these ordinances.

17      **SECTION 355.** 30.78 (1r) and (2) of the statutes are amended to read:

18      30.78 (1r) NOTICE TO DEPARTMENT OF TRANSPORTATION. The department of  
19      transportation shall receive timely notice of the public hearing required under subs.  
20      sub. (1) and (1g) and shall have an opportunity to present testimony on the proposed

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1 ordinance. An ordinance under sub. (1) (b) ~~or (1g)~~ that regulates or restricts an area  
2 of surface waters for landing or take-off purposes shall be filed with the department  
3 of transportation.

4 (2) MARKING OF REGULATED OR RESTRICTED AREAS. Any ordinance that regulates  
5 or restricts an area of surface waters under sub. (1) ~~or (1g)~~ shall direct that the area  
6 be marked by standard marking devices.

7 **SECTION 356.** 30.78 (3) of the statutes is repealed.

8 **SECTION 357.** 30.79 (1) (a) of the statutes is repealed.

NOTE: The definition of "local governmental unit" in s. 30.79 (1) (a) is no longer  
necessary. See s. 30.50 (4u) as created in this bill.

9 **SECTION 358.** 30.79 (1) (b) 1. and 2. of the statutes are amended to read:

10 30.79 (1) (b) 1. A unit within an existing municipal law enforcement agency or  
11 a separate municipal agency, created by a municipality or by a number of  
12 municipalities riparian to a single body of water for the purpose of enforcing ss. 30.50  
13 to 30.80 and any rules promulgated and ordinances enacted under ss. 30.50 to 30.80  
14 s. 30.77 and for the purpose of conducting search and rescue operations.

15 2. A unit created by ~~a public inland lake protection and rehabilitation district,~~  
16 ~~by a lake sanitary district or by a number of~~ one or more local governmental units  
17 riparian to a single lake, ~~at least one of which is a lake district or a lake sanitary~~  
18 ~~district,~~ for the purposes specified in subd. 1.

19 **SECTION 359.** 30.79 (2), (3) and (4) of the statutes are amended to read:

20 30.79 (2) STATE AID. In order to protect public rights in navigable waters and  
21 to promote public health, safety, and welfare and the prudent and equitable use of  
22 the navigable waters of the state, a system of state aids for local enforcement of ss.

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1 30.50 to 30.80 and ordinances enacted under ~~ss. 30.50 to 30.80~~ s. 30.77 and for  
2 conducting search and rescue operations is established.

3 (3) ENFORCEMENT POWERS. Officers patrolling the waters as part of a water  
4 safety patrol unit may stop and board any boat for the purpose of enforcing ss. 30.50  
5 to 30.80 or ~~any rules promulgated or ordinances enacted under ss. 30.50 to 30.80~~ s.  
6 30.77 and for conducting search and rescue operations, if the officers have reasonable  
7 cause to believe there is a violation of the sections, ~~rules~~ or ordinances or the stopping  
8 and boarding of any boat is essential to conduct a search and rescue operation.

9 (4) JURISDICTION. Upon petition by any local governmental unit or group of local  
10 governmental units operating or intending to operate a water safety patrol unit, the  
11 department shall, if it finds that it is in the interest of efficient and effective  
12 enforcement to do so, by rule define the waters which may be patrolled by the unit,  
13 including waters lying within the territorial jurisdiction of some other ~~town~~ city,  
14 village, or city town if the ~~town~~ city, village, or city town consents to the patrol of its  
15 waters. Such consent is not required if the petitioner is a local governmental unit  
16 containing a population of 5,000 or more, bordering upon the waters to be affected  
17 by the rule in counties having a population of less than 500,000. Officers patrolling  
18 the waters as part of the water safety patrol unit shall have the powers of sheriff in  
19 enforcing ss. 30.50 to 30.80, or ~~rules promulgated or ordinances enacted under ss.~~  
20 ~~30.50 to 30.80~~ s. 30.77 and in conducting search and rescue operations, on any of the  
21 waters so defined, whether or not the waters are within the jurisdiction of the local  
22 governmental unit for other purposes.

NOTE: Section 30.5005 (1) (b), as created by this bill, states the general authority  
of DNR to promulgate rules under this subchapter. The specific reference to DNR  
rule-making authority is repealed.

23 **SECTION 360.** 30.80 (2) of the statutes is amended to read:

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1           30.80 (2) Any person violating s. 30.68 (2) shall be fined not more than \$200  
2 or imprisoned for not more than 6 months or both. ~~Any person violating s. 30.68 shall~~  
3 ~~be required to obtain a certificate of satisfactory completion of a safety course under~~  
4 ~~s. 30.74 (1).~~

NOTE: The stricken language duplicates s. 30.80 (2m).

5           **SECTION 361.** 30.80 (3) of the statutes is amended to read:

6           30.80 (3) Any person violating s. 30.71 ~~or any rule promulgated under that~~  
7 ~~section~~ shall forfeit not more than \$100 for the first offense and shall forfeit not more  
8 than \$200 upon conviction of the same offense a 2nd or subsequent time within one  
9 year.

10          **SECTION 362.** 30.80 (4) of the statutes is amended to read:

11          30.80 (4) Any person violating any provision of s. 30.72 ~~or the rules~~  
12 ~~promulgated under s. 30.72~~ shall forfeit not more than \$100 for the first offense and  
13 shall forfeit not more than \$200 upon conviction of the same offense a 2nd or  
14 subsequent time within one year.

NOTE: Section 30.5005 (1) (b), as created by this bill, states the general authority  
of DNR to promulgate rules under this subchapter. The specific reference to DNR  
rule-making authority in s. 30.80 (3) and (4) is deleted.

15          **SECTION 363.** 30.81 (1) (intro.) of the statutes is repealed and recreated to read:

16          30.81 (1) LOCAL REGULATION AUTHORIZED. (intro.) A local governmental unit  
17 that has authority to enact an ordinance under s. 30.77 (4) may, after public hearing,  
18 enact an ordinance that is not inconsistent with this chapter, relative to the use or  
19 operation of boats and other craft, including snowmobiles and other motor vehicles,  
20 on icebound inland waters.

21          **SECTION 364.** 30.81 (1m) and (2) of the statutes are repealed.

22          **SECTION 365.** 30.81 (3) of the statutes is amended to read:

**BILL**

1           30.81 (3) LIABILITY OF LOCAL GOVERNMENT. All traffic on icebound, inland waters  
2           shall be at the risk of the traveler. An ordinance ~~by any municipality or any public~~  
3           ~~inland lake protection and rehabilitation district~~ that is enacted under this section  
4           permitting traffic on icebound inland waters shall not render the ~~municipality or~~  
5           ~~lake district~~ local governmental unit enacting the ordinance liable for any accident  
6           to those engaged in permitted traffic while the ordinance is in effect.

7           **SECTION 366.** 30.81 (4) of the statutes is amended to read:

8           30.81 (4) ENFORCEMENT. A law enforcement officer of a ~~town, village or city~~ local  
9           governmental unit that is subject to enacts an ordinance enacted under sub. (1) ~~or~~  
10          ~~(1m)~~ has the powers of sheriff in enforcing the ordinance on any portion of the lake  
11          waters, whether or not that portion of the lake waters is within the jurisdiction of the  
12          ~~town, village or city~~ local governmental unit for other purposes.

NOTE: The amendments to s. 30.81 expand the scope of local regulation of icebound waters, so that any local governmental unit that has jurisdiction and current authority to enact local ordinances under s. 30.77 may also enact ordinances for icebound waters. This authority applies to the same waters that may be regulated by the local governmental unit under s. 30.77. Although s. 30.77 is used to define the scope of local authority to regulate icebound waters, it should be noted that the procedures in s. 30.77 do not apply to these ordinances.

13          **SECTION 367.** 30.90 (1) of the statutes is amended to read:

14          30.90 (1) As long as Lake Lions Lake in the town of Alban, Portage County,  
15          continues to be used as a recreational area for the physically handicapped, all of the  
16          following shall apply:

17          (a) Neither the county or town may provide, nor shall any subdivider be  
18          required or permitted to provide, public access to Lake Lions Lake, if the public  
19          access will in any way interfere with the use of the lake as a recreational area for the  
20          physically handicapped.

**BILL**

(b) The department may stock Lake Lions Lake with fish, any provision in ch. 29 to the contrary notwithstanding.

**SECTION 368.** 30.90 (2) of the statutes is amended to read:

30.90 (2) The town board of the town of Alban shall have jurisdiction over Lake Lions Lake and may enact and enforce any ordinances necessary to prevent any deterioration of the waters of Lake Lions Lake or any nuisances that would adversely affect the public health or safety ~~of the people~~.

**SECTION 369.** Subchapter VI (title) of chapter 30 [precedes 30.95] of the statutes is created to read:

**CHAPTER 30****SUBCHAPTER VI****ENFORCEMENT; PENALTIES**

**SECTION 370.** 30.96 (title) of the statutes is created to read:

**30.96 (title) Infringement of public rights.**

**SECTION 371.** 30.98 (title) of the statutes is created to read:

**30.98 (title) Penalties.**

**SECTION 372.** 30.98 (3) (title) of the statutes is created to read:

**30.98 (3) (title) VIOLATION OF PERMIT, CONTRACT, OR ORDER.**

**SECTION 373.** 31.03 of the statutes is amended to read:

**31.03 Permits for the Lower Wisconsin State Riverway.** For activities in the Lower Wisconsin State Riverway, as defined in s. 30.40 (15), ~~no person obtaining the department shall include a condition in a permit issued under this chapter that the person obtaining the permit may not start or engage in the activity for which the permit was issued unless the person obtains any permit that is required for the activity under s. 30.44 or 30.445.~~

**BILL**

1           **SECTION 374.** 31.93 of the statutes is created to read:

2           **31.93 Enforcement of forfeitures.** The district attorney of the appropriate  
3 county or, at the request of the department, the attorney general shall institute  
4 proceedings to recover any forfeiture imposed or to abate any nuisance committed  
5 under this chapter.

6           **SECTION 375.** 33.475 of the statutes is amended to read:

7           **33.475 Boating fees.** Notwithstanding the prohibition in s. 30.77 ~~(1) against~~  
8 ~~ordinances and local regulations that exclude any boat from the free use of the waters~~  
9 ~~of the state~~ (2), and in addition to the powers granted the county under ss. 30.77 (3)  
10 (e) (5) (f) 5. to 7. and 59.54 (2), the county may charge boat operators reasonable fees  
11 for the costs of providing other recreational boating services not specified in ss. 30.77  
12 (3) (e) (5) (f) 5. to 7. and 59.54 (2).

13           **SECTION 376.** 60.782 (1m) of the statutes is created to read:

14           60.782 (1m) For purposes of this section, a town sanitary district shall  
15 determine footage of shoreline by use of a map wheel on the U.S. geological survey  
16 7 1/2 minute series map.

17           **SECTION 377.** 60.782 (2) (d) of the statutes is amended to read:

18           60.782 (2) (d) Lease or acquire, including by condemnation, any real property  
19 situated in this state that may be needed for the purposes of s. 23.09 (19), 23.094 (3g)  
20 or ~~30.275~~ 30.359 (4).

21           **SECTION 378.** 200.35 (4) of the statutes is amended to read:

22           200.35 (4) ~~DELIVERY OF DEEDS; DNR~~ DEPARTMENT OF NATURAL RESOURCES PERMITS.  
23 Upon application of the commission the proper officers of this state shall execute,  
24 acknowledge, and deliver to the proper officers of the district any deed or other  
25 instrument as that may be proper for the purpose of fully confirming the grants



**BILL**

1 under subs. (2) and (3). Notwithstanding s. ~~30.05~~ 30.233, the district may not  
2 commence an action under sub. (2) or (3) without obtaining all of the necessary  
3 permits from the department of natural resources under ch. 30.

4 **SECTION 379.** 236.16 (3) (d) (intro.) of the statutes is amended to read:

5 236.16 (3) (d) (intro.) All of the owners of all of the land adjacent to a public  
6 access established under par. (a) to an inland lake, as defined in s. 30.92 (1) (bk), may  
7 petition the city, village, town, or county that owns the public access to construct  
8 shoreline erosion control measures. Subject to par. (e), the city, village, town, or  
9 county shall construct the requested shoreline erosion control measures or request  
10 the department of natural resources to determine the need for shoreline erosion  
11 control measures. Upon receipt of a request under this paragraph from a city, village,  
12 town, or county, the department of natural resources shall follow the procedures in  
13 s. ~~30.02 (3) and (4)~~ 30.245, treating the request for a determination as a permit  
14 application. Subject to par. (e), the city, village, town or county shall construct  
15 shoreline erosion control measures as required by the department of natural  
16 resources if the department of natural resources determines all of the following:

17 **SECTION 380.** 281.35 (4) (b) (intro.) of the statutes is amended to read:

18 281.35 (4) (b) (intro.) Before any person specified in par. (a) may begin a new  
19 withdrawal or increase the amount of an existing withdrawal, the person shall apply  
20 to the department under s. 30.18, 281.17 (1), or 281.41 for a new permit or approval  
21 or a modification of its existing permit or approval if either of the following conditions  
22 applies:

23 **SECTION 381.** 293.65 (2) (b) of the statutes is amended to read:

24 293.65 (2) (b) The department, upon receipt of an application for a permit, shall  
25 determine the minimum stream flow or lake level necessary to protect public rights,

**BILL**

1 the minimum flow or level necessary to protect the rights of affected riparians  
2 riparian owners, the point downstream beyond which riparian rights are not likely  
3 to be injured by the proposed diversion, and the amount of surplus water, as defined  
4 in ~~s. 30.01 (6d)~~, if any, at the point of the proposed diversion.

5 **SECTION 382.** 299.05 (1) and (2) (a) of the statutes are amended to read:

6 299.05 (1) The department shall promulgate rules under which the  
7 department refunds fees paid by an applicant for a permit, license, or approval that  
8 is issued under ~~ss. 30.10 to 30.205 or 30.21 to 30.27~~, subch. II of ch. 30, except ss.  
9 30.221 and 30.223; chs. 280 to 292; or subch. II of ch. 295 and that is of a type specified  
10 in the rule if the department fails to make a determination on the application within  
11 the time limit specified in the rule for that type of permit, license or approval. The  
12 rules under this subsection do not apply to an applicant for a license or other approval  
13 related to mining, as defined in s. 293.01 (9), prospecting, as defined in s. 293.01 (18),  
14 or nonmetallic mining, as defined in s. 295.11 (3).

15 (2) (a) Permits and other approvals under ~~ss. 30.10 to 30.205 and 30.21 to 30.27~~  
16 subch. II of ch. 30, except ss. 30.221 and 30.223.

17 **SECTION 383.** 709.03 (form) C. 27. of the statutes is renumbered 709.03 (form)  
18 C. 28.

19 **SECTION 384.** 709.03 (form) C. 27. of the statutes is created to read:

20 **709.03 (form)**

21 C. 27. I am aware that the property is located in a ....  
22 drainage district or that legally binding  
23 obligations may require that I contribute to  
24 the cost of draining the property.

**BILL**

NOTE: This adds a provision to the seller's disclosure form for residential real estate transactions.

**SECTION 385. Nonstatutory provisions.**

(1) **ADVISORY COMMITTEE; RULES ON NAVIGABILITY.** The department of natural resources shall appoint an advisory committee under section 227.13 of the statutes to advise and assist the department with respect to the promulgation of rules under section 30.04 (2) of the statutes, as created by this act. The department shall appoint members to the advisory committee who collectively possess a wide range of knowledge, experience, and interest in the navigable waters of this state.

(2) **REPORT ON DRAINAGE OF AGRICULTURAL LAND.** The department of agriculture, trade and consumer protection and the department of natural resources shall prepare a joint report on the drainage of agricultural land, with particular emphasis on the drainage that occurs in organized drainage districts. The report shall describe all of the following:

(a) A summary of the history of each department's involvement with the supervision of and assistance to those involved in the drainage of land.

(b) The current statutory authority and responsibilities of each department with respect to the drainage of land.

(c) The current efforts of each department to carry out its authority and responsibility.

(d) The efforts of the departments to cooperate with each other with respect to the drainage of land, and the potential for increasing the level of cooperation between the departments.

(e) Any areas of disagreement between the departments regarding the authorities and responsibilities of each.

**BILL**

**SECTION 386. Cross-reference changes.** In the sections of the statutes listed in Column A, the cross-references shown in Column B are changed to the cross-references shown in column C:

<b>A</b> Statute Sections	<b>B</b> Old Cross-Reference	<b>C</b> New Cross-Reference
20.370 (1) (mu)	30.203, 30.277	30.355, 30.361
20.370 (4) (bi)	30.28	30.243
20.370 (4) (mu)	30.203 and 30.277	30.355, and 30.361
20.370 (6) (ca)	30.275	30.359
20.370 (7) (aa)	30.203	30.355
23.09 (2) (d) 16.	30.24	30.357
23.09 (2r) (b)	30.277	30.361
23.0915 (1g)	30.277	30.361
23.0915 (1r) (c)	30.277	30.361
23.0915 (1r) (c)	30.277 (2) (a)	30.361 (2) (a)
23.0915 (2g)	30.277	30.361
23.0917 (3) (c) 1.	30.26	30.271
23.0917 (4) (b) 4.	30.277	30.361
23.0917 (7) (a)	30.24 (4) and 30.277	30.357 (4), and 30.361
23.0917 (7) (e)	30.277	30.361
23.096 (2) (a)	30.24 and 30.277	30.357, and 30.361
23.197 (2) (a)	30.277 (5)	30.361 (5)

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1	23.33 (13) (cg)	30.67 (3) (b)	30.67 (1g) (b)
2	24.39 (4) (a) 1.	30.01	30.01 (3)
3	24.39 (4) (a) 2.	30.01	30.01 (4)
4	24.39 (4) (c), (f) and (h)	30.11 (5)	30.343
5	24.39 (4) (i)	30.11	30.343
6	29.193 (1m) (b)	30.77 (3)	30.77
7	29.519 (2) (fm)	30.50 (2)	30.01 (1bm)
8	29.601 (3) (a)	30.12 (3) (a) 1.	30.12 (4) (a) 1.
9	29.601 (5) (a)	30.12 (4)	30.341
10	30.01 (1p)	30.121	30.281
11	30.40 (3)	30.50 (2)	30.01 (1bm)
12	30.772 (3) (e)	30.294	30.86
13	30.773 (2) and (3) (intro.)	30.11	30.321
14	30.80 (2g) (intro.)	30.67 (1)	30.67 (1m)
15	30.92 (4) (b) 8. c. and d.	30.74 (2) (b)	30.50 (1b)
16	31.39 (2m) (c)	30.28 (2) (a)	30.243 (2) (a)
17	33.455 (3) (b)	30.77 (3) (a)	30.77
18	33.46 (2) (c)	30.77 (3) (e)	30.77 (5) (f) 5. to 7.
19	60.0133 (3)	30.32	30.493
20	60.24 (3) (f)	30.37 (3)	30.497 (3)
21	61.351 (2m)	30.11	30.321
22	62.231 (2m)	30.11	30.321

**BILL**

1	84.18 (6)	30.12 (4)	30.341
2	85.095 (1) (a)	30.37	30.497
3	100.42 (1) (b)	30.50 (2)	30.01 (1bm)
4	281.22 (2) (c)	30.28 (2) (a)	30.243 (2) (a)
5	281.35 (1) (b) 2.	30.18 (6) (c)	30.18 (6) (bm)
6	281.37 (1) (a) 3.	30.26	30.271
7	281.37 (1) (a) 3.	30.275	30.359
8	295.16 (2)	30.30 and 30.31	30.491, and 30.492
9	295.16 (4) (j)	30.21	30.293
10	295.33 (4)	30.20 (2) (b)	30.20 (3) (b)
11	350.11 (2m)	30.67 (3) (b)	30.67 (1g) (b)
12	422.413 (2g) (intro.)	30.50 (2)	30.01 (1bm)
13	895.55 (2) (intro.)	subchs. II and IV	subchs. II and III
14	938.17 (1) (intro.)	30.67 (1)	30.67 (1m)
15	938.396 (3)	30.67 (1)	30.67 (1m)
16	943.13 (4m) (c)	30.134	30.85
17	978.05 (6) (a)	30.03 (2)	30.97

**SECTION 387. Initial applicability.**

(1) The repeal of sections 30.12 (3) (d), 30.12 (4) (title), 30.12 (5), 30.123 (5), 30.18 (3) (title) and (a) (title), 1. and 2., 30.18 (3) (a) 4., 30.18 (3) (b), 30.18 (9), 30.19 (1m) (c) and (d), 30.19 (2) (intro.) and (a) to (d), 30.19 (2) (f), 30.19 (3) (title), 30.19 (3) (b), and 30.195 (4) and (7) of the statutes; the renumbering of sections 30.12 (3) (bt)

**BILL**

1. to 8., 30.12 (3) (bt) 9., 30.12 (4) (d), 30.18 (6) (d) (title), and 30.18 (8) of the statutes; the renumbering and amendment of sections 30.12 (3) (bt) (intro.), 30.12 (4) (a), 30.12 (4) (b), 30.12 (4) (c), 30.12 (4) (e), 30.12 (4) (f), 30.12 (4m), 30.123 (1), 30.18 (3) (a) 3., 30.18 (4) (a), 30.18 (6) (b), 30.18 (6) (c), 30.18 (6) (d), 30.19 (1) (intro.), 30.19 (1) (a), 30.19 (1) (b), 30.19 (1) (c), 30.19 (2) (e), 30.19 (3) (a), 30.19 (4), 30.195 (3), 30.196, 30.20 (1) (b), 30.20 (1) (d), 30.20 (2) (c), 30.206, and 30.207 of the statutes; the amendment of sections 30.12 (title), 30.12 (1) (intro.), 30.12 (1) (a), 30.12 (1) (b), 30.12 (3) (a) 6., 30.12 (3) (bn), 30.12 (3) (c), 30.123 (2), 30.123 (4), 30.135 (1) (a) (intro.) and 2., 30.135 (2) (a) and (4), 30.18 (2) (a) (intro.), 30.18 (2) (b), 30.18 (4) (b), 30.18 (5) (a) (intro.), 30.18 (5) (a) 1., 30.18 (5) (a) 2., 30.18 (5) (b), 30.18 (6) (title), 30.18 (6) (a), 30.18 (6m) (a) (intro.), 30.18 (6m) (a) 1. and 2., 30.18 (6m) (b), 30.18 (6m) (c), 30.18 (7), 30.19 (1m) (intro.), 30.19 (1m) (a), 30.19 (1m) (b), 30.19 (1m) (e), 30.19 (5), 30.195 (1), 30.20 (1) (a), and 30.20 (2) (title), (a) and (b) of the statutes; the repeal and recreation of sections 30.12 (2), 30.12 (3) (a) (intro.), 30.12 (3) (b), 30.123 (title), 30.123 (3), 30.18 (4) (title), 30.18 (5) (title), 30.18 (6m) (title), 30.195 (2), 30.20 (1) (title), and 30.20 (1) (c) of the statutes; and the creation of sections 30.12 (3) (a) 9., 30.12 (3) (am), 30.12 (3) (bg), 30.12 (3) (br), 30.123 (6), 30.135 (1) (title), 30.18 (1) (intro.), 30.18 (1) (b), 30.18 (3m) (intro.), 30.18 (3m) (b), 30.18 (4) (a) 1., 30.18 (5) (a) 1m., 30.18 (6) (cm) 3., 30.19 (1b), 30.19 (1m) (f), 30.19 (3b) (intro.), 30.19 (4) (a), 30.20 (1) (b) 1. and 2., 30.20 (3) (title) and (b), and 30.20 (4) of the statutes first apply to permits applied for on the effective date of this subsection.

(2) The treatment of section 30.20 (1) (title), (a), (b) 1. and 2., (c), and (d), (2) (title), (a), (b), and (c), (3) (title) and (b), and (4) of the statutes and the renumbering and amendment of section 30.20 (1) (b) of the statutes first apply to contracts applied for on the effective date of this subsection.

# BILL

(3) The treatment of section 30.77 of the statutes first applies to an ordinance relating to the regulation of boating that is enacted or adopted on the effective date of this subsection.

NOTE: This provision relates to the applicability of amended s. 30.77 to preexisting boating ordinances. The general rule established above is that amended s. 30.77 applies prospectively only. That is, only local boating ordinances enacted after the effective date of the legislation are subject to the amended statute. This allows preexisting ordinances to be judged, in any challenge, by the statutory standards in place when the ordinance was adopted, and does not raise doubts about the authority for preexisting ordinances.

However, if a preexisting ordinance is amended after the effective date of this legislation, this provision makes the newly amended statute applicable to the entirety of the ordinance enacted before the effective date of the legislation. This avoids the confusion that would potentially result if preexisting portions of a boating ordinance were subject to the prior statute, and new or amended portions of the boating ordinance were subject to the amended statute. This does not mean that any portion of a preexisting ordinance must necessarily be amended when any portion of the ordinance is being amended or any new provision is being added to the ordinance. What it means is that a local governmental unit should review the preexisting ordinance in light of the amended statute, to determine if additional changes are necessary.

For the most part, the special committee believes that changes to preexisting ordinances will not be necessary. Most of the requirements in s. 30.77, as amended, are simply restatements and extensions of current statutory requirements.

**(END)**





# State of Wisconsin

## LEGISLATIVE REFERENCE BUREAU

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August 27, 2003

### MEMORANDUM

To: Legislative Council - JLC

(Wanda Paterson)

From: Mary Gibson-Glass, Senior Legislative Attorney

Re: LRB-2976/2 Chapter 30 rewrite compile

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.

☒ JACKET FOR ASSEMBLY ☐ JACKET FOR SENATE

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 267-3215 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.